



PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/519,895

Filing Date December 28, 2004

First Named Inventor Katsumi Okayama et al.

Art Unit 2824

Examiner Name Eric J. Wendler

Attorney Docket Number 075834.00429

### ENCLOSURES (Check all that apply)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Rockey, Depke, Lyons & Kitzinger, LLC  
233 S. Wacker Drive, Suite 5450, Chicago, IL 60606

Signature

Printed name Robert J. Depke

Date 1/10/07

Reg. No. 37,607

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Katsumi Okayama et al. **Atty. Docket No.** 075834.00429  
**Serial No.:** 10/519,895 **Group Art Unit:** 2824  
**Filed:** December 28, 2004 **Examiner:** Eric J. Wendler  
**Invention:** MAGNETIC NON-VOLATILE MEMORY ELEMENT

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

SIR:

In accordance with 37 C.F.R §§1.97, 1.98, Applicant and the undersigned attorney hereby submit legible copies of the patents listed on the accompanying form PTO/SB/08A.

In accordance with 37 C.F.R.1.97(b)(3) this Information Disclosure Statement is submitted prior to receipt of a First Office Action on the merits.

Applicant notes that the references listed in the attached Information Disclosure Statement are not in the English language. In accordance with 37 C.F.R. 1.98(a)(3) Applicant encloses the attached abstracts of each of the publications in the English language which were obtained from the website operated by the Japanese Patent Office.

The undersigned asserts that the submission of these documents is neither a concession nor admission that the documents qualify as prior art for this application under the patent laws of the United States. Applicant reserves the right to challenge the status of any such document that the office determines to be prior art.

It is Applicant's belief that no fee is required for the submission of this Information Disclosure Statement, however, if it is determined that such a fee is

required, Applicant hereby authorizes the Commissioner to charge any fee due for this submission to Deposit Account No. 50-3891.

Date: 1/10/07

Respectfully submitted,

Robert J. Depke, Reg. No. 37,607  
Paige A. Kitzinger Reg. No. 45, 219  
ROCKEY, DEPKE, LYONS  
& KITZINGER, LLC  
233 S. Wacker, Suite 5450  
Chicago, IL 60606  
(312) 277-2006

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PTO/SB/08A (08-00)  
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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<b>Complete if Known</b>		
Sheet		1	of	1		
				Application Number	10/519,895	
				Filing Date	December 28, 2004	
				First Named Inventor	Katsumi Okayama et al.	
				Group Art Unit	2824	
				Examiner Name	Eric J. Wendler	
				Attorney Docket Number	075834.00429	

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
US1	WO 02/05286			Duijvestijn, Adrianus J	5/16/2001
US2					
US3					
US4					
US5					
US6					
US7					
US8					
US9					
US10					
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FOREIGN PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	
F1	JP	11-238377		Motorola Inc.	08/31/1999
F2	JP	2002-158446		Sony Chem Corp.	05/31/2002
F3					
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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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